

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DEVON K. ADDONIZIO, individually and as
parents and natural guardians for minor baby
Plaintiff C.M., her daughter,

Plaintiffs,

v.

SIMPLY THICK, LLC, THERMO PAC, LLC,
AMERIQUAL GROUP, LLC, and H. J. HEINZ
COMPANY,

Defendants.

Case No.: 12-cv-4448 (CM) (FM)

ECF CASE

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE**

Pursuant to Rules 41(a)(1)(ii) and 41(c) of the Federal Rules of Civil Procedure, it is
hereby STIPULATED AND AGREED, by and between the undersigned, that:

1. Thermo Pac, LLC's Third Party Complaint against H. J. Heinz Company is DISMISSED
WITHOUT PREJUDICE;
2. Ameriquel Group, LLC's Third Party Complaint against H. J. Heinz Company is
DISMISSED WITHOUT PREJUDICE;
3. Simply Thick, LLC's Cross-Claims against Thermo Pac, LLC, Ameriquel Group, LLC,
and H. J. Heinz Company are DISMISSED WITHOUT PREJUDICE;
4. H. J. Heinz Company's Counterclaim against Thermo Pac, LLC is DISMISSED
WITHOUT PREJUDICE.

SO STIPULATED.

Dated June 10, 2014

/s/ Wendy R. Fleishman

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